

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

IN RE BARD IVC FILTERS
PRODUCTS LIABILITY LITIGATION

No. MD-15-02641-PHX-DGC

This Document Relates to Plaintiff(s):

LARRY MACE

Civil Case #: **2:18-at-99908**

**MASTER SHORT FORM COMPLAINT
FOR DAMAGES FOR INDIVIDUAL CLAIMS**

Plaintiff(s) named below, for their Complaint against Defendants named below, incorporate the Master Complaint for Damages in MDL 2641 by reference (Doc.364). Plaintiff(s) further show the Court as follows:

1. Plaintiff/Deceased Party:

LARRY MACE

2. Spousal Plaintiff/Deceased Party's spouse or other party making loss of consortium claim:

N/A

3. Other Plaintiff and capacity (i.e., administrator, executor, guardian, conservator):

N/A

4. Plaintiff's/Deceased Party's state(s) [if more than one Plaintiff] of residence at the time of implant:

MISSOURI

5. Plaintiff's/Deceased Party's state(s) [if more than one Plaintiff] of residence at the time of injury:

MISSOURI

6. Plaintiff's current state(s) [if more than one Plaintiff] of residence:

MISSOURI

7. District Court and Division in which venue would be proper absent direct filing:

United States District Court, Western District of Missouri

8. Defendants (check Defendants against whom Complaint is made):

XX C.R. Bard Inc.

XX Bard Peripheral Vascular, Inc.

9. Basis of Jurisdiction:

XX Diversity of Citizenship

___ Other:

- a. Other allegations of jurisdiction and venue not expressed in Master

Complaint: N/A

10. Defendants' Inferior Vena Cava Filter(s) about which Plaintiff(s) is making a claim (Check applicable Inferior Vena Cava Filter(s)):

___ Recovery® Vena Cava Filter

___ G2® Vena Cava Filter

___ G2® Express (G2®X) Vena Cava Filter

___ Eclipse® Vena Cava Filter

___ Meridian® Vena Cava Filter

XX Denali® Vena Cava Filter

Other: _____

11. Date of Implantation as to each product:

May 12, 2017

12. Counts in the Master Complaint brought by Plaintiff(s):

XX Count I: Strict Products Liability – Manufacturing Defect

XX Count II: Strict Products Liability – Information Defect (Failure to Warn)

XX Count III: Strict Products Liability – Design Defect

XX Count IV: Negligence - Design

XX Count V: Negligence - Manufacture

XX Count VI: Negligence – Failure to Recall/Retrofit

XX Count VII: Negligence – Failure to Warn

XX Count VIII: Negligent Misrepresentation

XX Count IX: Negligence Per Se

XX Count X: Breach of Express Warranty

XX Count XI: Breach of Implied Warranty

XX Count XII: Fraudulent Misrepresentation

XX Count XIII: Fraudulent Concealment

**XX Count XIV: Violations of Applicable (insert state) Law Prohibiting
Consumer Fraud and Unfair and Deceptive Trade Practices**

Count XV: Loss of Consortium

___ Count XVI: Wrongful Death

___ Count XVII: Survival

XX Punitive Damages

___ Other(s): _____

RESPECTFULLY SUBMITTED this 29th day of August, 2018.

FLORIN ROEBIG, P.A.

/s/ Wil H. Florin, Esq _____

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Attorneys for Plaintiff

I hereby certify that on this 29th day of August 2018, I electronically transmitted the attached document to the Clerk's Office using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing.

/s/ Wil H. Florin, Esq _____